

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

903C0342

HOUSE BILL NO. 1169

Introduced by: Representatives Kooistra, Apa, Cerny, Crisp, Diedtrich (Elmer), Engbrecht, Pummel, Waltman, and Weber and Senators Olson and Brown (Arnold)

1 FOR AN ACT ENTITLED, An Act to increase the motor vehicle excise tax and to provide for
2 its distribution.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-5B-1 be amended to read as follows:

5 32-5B-1. In addition to all other license and registration fees for the use of the highways, a
6 person shall pay an excise tax at the rate of ~~three~~ four percent on the purchase price of any motor
7 vehicle, as defined by § 32-3-1, purchased or acquired for use on the streets and highways of this
8 state and required to be registered under the laws of this state. This tax ~~shall be~~ is in lieu of any
9 tax levied by chapters 10-45 and 10-46 on the sales of such vehicles. Failure to pay the full
10 amount of excise tax is a Class 1 misdemeanor.

11 Section 2. That § 32-5B-1.4 be amended to read as follows:

12 32-5B-1.4. A licensed motor vehicle dealer who sells new motor vehicles and has a franchise
13 for that particular motor vehicle may license a new motor vehicle which is part of ~~his~~ the dealer's
14 inventory. If the dealer licenses the motor vehicle, ~~he~~ the dealer shall title the motor vehicle and
15 pay the ~~three percent~~ excise tax on the manufacturer's suggested dealer list price. The next
16 purchaser ~~shall be~~ is exempt from the excise tax.

1 Section 3. That § 32-5B-20 be amended to read as follows:

2 32-5B-20. There is hereby imposed a tax of ~~four and one-half~~ six percent upon the gross
3 receipts of any person renting a rental vehicle as defined in § 32-5B-19. This provision applies
4 to all vehicles registered in accordance with § 32-5-6 or 32-5-8.1. Any rental vehicle not licensed
5 in accordance with § 32-5-6 or 32-5-8.1 is subject to the motor vehicle excise tax in § 32-5B-1.

6 The tax imposed by this section is in addition to any tax levied pursuant to chapter 10-45 or
7 10-46 upon the rental of a rental vehicle. The provisions of chapter 10-45 apply to the
8 administration and enforcement of the tax imposed by this section. The tax imposed by this
9 section is in lieu of the tax levied by § 32-5B-1 on the sales of such motor vehicles. A violation
10 of this section is a Class 1 misdemeanor.

11 Section 4. That § 32-5B-17 be amended to read as follows:

12 32-5B-17. ~~All~~ Seventy-five percent of the revenues received pursuant to §§ 32-5B-1 and
13 32-5B-20 shall be credited to the state highway fund and twenty-five percent of the revenues
14 received pursuant to §§ 32-5B-1 and 32-5B-20 shall be credited to the local government
15 highway and bridge fund as created by § 32-11-34.